

June 2, 2004

**MINUTES OF A REGULAR MEETING OF  
THE TORRANCE PLANNING COMMISSION**

**1. CALL TO ORDER**

The Torrance Planning Commission convened in a regular session at 7:06 p.m. on Wednesday, June 2, 2004, in City Council Chambers at Torrance City Hall.

**2. SALUTE TO THE FLAG**

The Pledge of Allegiance was led by Commissioner Horwich.

**3. ROLL CALL**

Present: Commissioners Botello, Faulk, Horwich, LaBouff, Muratsuchi, Uchima and Chairperson Drevno.

Absent: None.

Also Present: Planning Manager Isomoto, Planning Associate Crecy, Associate Civil Engineer Symons, Fire Marshal Fawcett, Building Regulations Administrator Segovia, and Deputy City Attorney Whitham.

**4. POSTING OF THE AGENDA**

**MOTION:** Commissioner Botello, seconded by Commissioner Muratsuchi, moved to accept and file the report of the secretary on the posting of the agenda for this meeting; voice vote reflected unanimous approval.

**5. APPROVAL OF MINUTES**

**MOTION:** Commissioner Muratsuchi moved for the approval of the April 7, 2004 Planning Commission minutes as submitted. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote, with Commissioner Faulk and Chairperson Drevno abstaining.

**MOTION:** Commissioner Muratsuchi moved for the approval of the April 21, 2004 Planning Commission minutes as submitted. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote, with Chairperson Drevno abstaining.

**6. REQUESTS FOR POSTPONEMENTS**

None.

Chairperson Drevno explained the policies and procedures of the Planning Commission, including the right to appeal decisions to the City Council.

**7. CONTINUED HEARINGS**

**7A. PRE04-00006, WAV04-00006: TAD AND MARNIE DAVIS (LANE BUILDING DESIGNS)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of first and second-story additions and a Waiver to allow a reduction of the side yard setback requirement for an existing one-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 116 Paseo de Granada.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request and noted supplemental material available at the meeting consisting of letters of support.

Marnie Davis, 116 Paseo de Granada, applicant, stated that since the last meeting, she and her husband met with neighbors and redesigned the project to address their concerns, significantly reducing the height and the size of the project. She voiced her agreement with the recommended conditions of approval.

Gary Lane, project architect, detailed the revisions, noting that the height was decreased by 10 feet in some areas; the roof design was changed from gable to hip; and the square footage was reduced by 942 square feet, lowering the Floor Area Ratio (FAR) from .56 to .46.

**MOTION:** Commissioner Botello, seconded by Commissioner Horwich, moved to close the public hearing; voice vote reflected unanimous approval.

**MOTION:** Commissioner Botello moved for the approval of PRE04-00006 and WAV04-00006, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution Nos. 04-037 and 04-038.

**MOTION:** Commissioner Botello moved for the adoption of Planning Commission Resolution Nos. 04-037 and 04-038. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

**7B. CUP03-00053, PRE03-00038, TTM60807, VAR03-00007, WAV03-00024, EAS03-00015: RIVIERA COLONY, LLC (DOUG MAUPIN)**

Planning Commission consideration for adoption of a Negative Declaration and approval of a Conditional Use Permit and Precise Plan of Development to allow the construction of a 16-unit townhome condominium development, a Tentative

Tract Map for condominium purposes, a Variance to allow tandem parking for a portion of the required parking, and a Waiver of the height requirement on property located in the Hillside Overlay District in the R-3 Zone at 6226 Pacific Coast Highway.

### **Recommendation**

Approval.

Planning Associate Crecy introduced the request and noted supplemental material available at the meeting consisting of certification for the revised silhouette and correspondence received after the staff report was prepared.

Doug Maupin, representing the applicant, reported that significant changes were made to the project in response to neighbors' concerns and Commissioners' comments at the May 5 Commission meeting.

With the aid of slides, Dan Withee, project architect, detailed the revisions. He noted that the roof decks and stair towers were completely eliminated; the pitch of the roof was reduced from 3½ in 12 to 3 in 12; buildings were lowered an additional two feet into the grade; tandem parking in two-car garages was eliminated; the setback from the southern property line was increased; patios were enlarged to meet open space requirements; and the size of the units was reduced, lowering the FAR from .92 to .84. He contrasted the silhouettes of the original and revised project.

Commissioner Horwich announced that while he was absent from the May 5 Commission meeting, he had carefully listened to the audiotapes from the meeting and would be participating in consideration of this item.

In response to Commissioner Horwich's inquiry, Mr. Withee confirmed that the trees along the southern property line would be retained.

Planning Associate Crecy noted that a condition was included requiring that a certified arborist be retained to prepare an inventory and evaluate the trees to ensure that mature trees are retained where feasible.

Responding to Commissioner Muratsuchi's inquiry, Mr. Withee reported that the height of the project has been reduced from 6 to 11 feet.

Commissioner Muratsuchi asked about justification for an FAR in excess of .50.

Mr. Maupin, referring to a letter submitted for the record, discussed the hardships associated with developing this site. He stated that the site's irregular shape and sloping topography necessitated individual, inefficient floor plans, which contributed to a higher FAR, and noted that design elements incorporated to eliminate the appearance of row houses and make the project more attractive also added to the FAR. He explained that land zoned for multi-unit housing is more expensive than land zoned for single-family residential development, therefore, more units are needed to keep the units affordable. He further explained that the site was zoned R-3 to provide a buffer between the adjacent R-1 neighborhood and Pacific Coast Highway.

In response to Commissioner Muratsuchi's inquiry, Mr. Withee indicated that approximately three units would have to be eliminated in order to achieve an FAR in the .60 range.

Mr. Maupin noted that the project's FAR was consistent with other R-3 developments in the vicinity and maintained that the FAR in this case was misleading.

Noting growing concerns among Torrance residents about overdevelopment, Commissioner Muratsuchi stated that he believed enforcing FAR requirements was the best way of addressing these concerns while at the same time being fair to developers.

Mr. Maupin stated that reducing the FAR would not result in a reduction in the number of residents and would only make the units less livable.

In response to Commissioner Fauk's inquiry, Mr. Withee confirmed that the mix of two and three-bedroom units remains the same as when the project was first proposed.

Chairperson Drevno asked about the possibility of eliminating one unit. Mr. Withee advised that Unit No. 12 could be eliminated, reducing the FAR to approximately .79, and by shifting the other units forward, two guest parking spaces could be added.

Robert Keller, 139 Camino de las Colinas, stated that the Hillside Ordinance does not grant any special privileges to R-3 zoned properties as opposed to those that are zoned R-1, therefore, the project should be limited to an FAR of .50. He noted that TMC Section 91.41.11 requires that hardship be demonstrated in order to exceed an FAR of .50 and maintained that the only hardship demonstrated in this case is an economic one, which is not the type of hardship contemplated when the Hillside Ordinance was adopted. He urged the Commission to require the developer to comply with the Code.

Jackie Decker, 23102 Carlow Road, expressed concerns about overdevelopment in the Riviera area and called for a reduction in the project's size and the addition of more guest parking.

Kent Madenwald, 122 Camino de las Colinas, stated that while most of the Hillside Overlay Ordinance requires subjective judgments, there are some objective criteria, such as height and Floor Area Ratio restrictions that can be consistently applied to protect the character of the neighborhood. He maintained that the applicant had presented no compelling reason to exceed these standards, only a desire to make a profit. He pointed out that the applicant will not live in the development but nearby residents will have to live with its consequences.

Jim Pruitt, 111 Camino de las Colinas, indicated that his primary concern is that the tree barrier be preserved and requested that language be included in the Covenants, Conditions and Restrictions (CC&Rs) to ensure that the trees are not cut down in the future. He stated that he would like the project to go forward but believed there should be a reduction in density and more off-street parking.

Bob Howard, 118 Palos Verdes Boulevard, expressed concerns about the project's impact on parking, noting that there is limited parking in the area because Palos Verdes Boulevard and Camino de las Colinas have parking on only one side of the street.

Nancy Langdon, 119 Camino de las Colinas, stated that FAR standards are meant to ensure that appropriately sized structures are built with the added benefit of maintaining the appearance of the neighborhood. She suggested that allowing this project to exceed FAR limitations could be a violation of Government Code Section 65911 and questioned why condominium developments are afforded special privileges that do not apply to apartment buildings or motels. She contended that approving this project would put residents' financial investment in their homes at risk. She expressed concerns that the project's bulk and density would set a precedent and encourage other property owners along Palos Verdes Boulevard to request projects of equal density. She recalled that the only one who voiced whole-hearted support for the project at the May 5 meeting was the owner of a nearby apartment building who does not live in the area. Calling for a reduction in the size of the project, she noted information submitted at the May 5 meeting about the ramifications of increased density (*The Effects of Green Space on Housing Prices*) and maintained that the developer could reduce the number of units and still make a large profit.

In response to Chairperson Drevno's inquiry, Planning Manager Isomoto confirmed that R-3 standards apply equally to apartment buildings, motels and condominium developments.

John Kostello, 115 Camino de las Colinas, stated that he thought the architect had made very useful changes but he was still concerned about the project's density, the lack of green space, and tandem parking. He requested that the condition regarding the trees be strengthened, noting that it could take 2 to 3 years for damage suffered during construction to become apparent.

John Carmichael, 309 Via Anita, voiced objections to the project's density and commented on potential safety issues on Camino de las Colinas due to increased traffic and the lack of sidewalks. He contended that it was unfair for developers to make a profit at the expense of neighbors.

Responding to audience members' comments, Mr. Maupin reviewed the revisions that were made to address neighbors' concerns and reiterated his belief that the project's size and density are appropriate for the site. He pointed out that the project meets the City's parking and open space requirements and noted that even those who have voiced concerns about the project have complimented its design. He reported that he has been developing properties in Torrance for 20 years and that the Wilson family (Don Wilson Builders) has been here for 50 years and has a large stake in Torrance, including several apartment buildings along Anza and 235<sup>th</sup> Street, which are very well maintained and reflect a pride of ownership.

In response to Commissioner Fauk's inquiry, Mr. Maupin expressed his willingness to eliminate one unit from the project in order to gain approval.

**MOTION:** Commissioner Botello, seconded by Commissioner Muratsuchi, moved to close the public hearing; voice vote reflected unanimous approval.

Indicating that he would not support the project, Commissioner Botello stated that he did not believe the burden had been met for exceeding height restrictions or allowing an FAR in excess of .50. He expressed concerns that approving this project could help drive up the cost of housing in Torrance, noting that developers should be aware of development standards when they purchase a property and it is not the City's job to ensure that they make a profit if they overpay.

Chairperson Drevno noted her agreement with Commissioner Botello's comments.

Commissioner Horwich stated that he believed there was an inherent conflict in R-3 standards between the number of units allowed per acre and Floor Area Ratio limitations if strictly interpreted. He noted that the Planning Commission has the discretion to approve a project with an FAR above .50 and related his understanding that the Commission would not be in violation of any law or City Code by approving this project with the elimination of one unit and an FAR of .78.

Deputy City Attorney Whitham advised that the project involves several discretionary approvals and that the Commission must determine whether convincing evidence has been presented to support the findings required for these approvals.

Commissioner Horwich noted that the retention of the trees was very important to neighbors on Camino de las Colinas and suggested adding language to Condition No. 6 requiring that the trees along the south perimeter wall be retained or replaced with trees of equal height to the satisfaction of the Community Development Director. Indicating that he would support the project with the elimination of one unit, he voiced his opinion that an FAR of .78 was not unreasonable considering the topography of the site and the adjacent apartment buildings. He stated that he did not believe traffic and parking would be worsened by having a 15-unit condominium project on a site that was formerly occupied by a 40-unit motel.

Commissioner Muratsuchi stated that he did not believe the topography of the site or the fact that it is located on a state highway supports the findings necessary to justify an FAR in excess of .50 although he did find merit in the argument that a higher density was warranted as a transition from R-1 uses to the south. He indicated that he would support a project with an FAR closer to .60 but not as proposed.

Commissioner LaBouff stated that considering staff's recommendation for approval of the project as submitted and with legal counsel's assurance that the Commission was within its authority to do so, he would easily vote to approve it with the elimination of one unit. He indicated that he thought Mr. Maupin's presentation was excellent.

Commissioner Uchima expressed concerns about the adequacy of guest parking, noting that Palos Verdes Boulevard and Camino de las Colinas have parking on only one side of the street and the area is densely populated with several apartment complexes in the vicinity. He stated that he was also concerned about the density of the project and would not support it as proposed.

Chairperson Drevno asked about the possibility of eliminating two units.

Mr. Maupin requested a brief recess to confer with the developer.

The Commission recessed from 8:35 p.m. to 8:47 p.m.

Mr. Maupin reported that the applicant had agreed to eliminate Units 8 and 12 and add 4 more parking spaces—2 on the Camino de las Colinas side and 2 on the Palos Verdes Boulevard side—for a total of 8 guest parking spaces.

Planning Manager Isomoto advised that the elimination of the two units would result in an FAR of approximately .75.

**MOTION:** Commissioner Faulk, seconded by Commissioner Horwich, moved to close the public hearing; voice vote reflected unanimous approval.

Commissioner Uchima stated that he would support the project with the addition of four guest parking spaces, elimination of two units, and the reduction in the FAR.

Commissioner Muratsuchi indicated that while he appreciated the applicant's efforts to compromise, he could not support the project unless it came much closer to meeting the objective criteria in the Code.

Commissioner Botello stated that he had heard no justification for an FAR in excess of .50 and felt it was unseemly to put aside the Code for the financial benefit of developers.

Planning Manager Isomoto advised that the Variance for tandem parking (VAR03-00007) was no longer necessary because the tandem garages for two-bedroom units were eliminated and the tandem arrangement for the third required parking space for three-bedroom units was now permitted by Code, therefore, the Planning Commission's decision would be final unless appealed to the City Council.

**MOTION:** Commissioner Horwich moved for the adoption of a Negative Declaration. The motion was seconded by Commissioner LaBouff and passed as reflected in the following roll call vote:

AYES: Commissioners Faulk, Horwich, LaBouff, Muratsuchi and Uchima.

NOES: Commissioner Botello and Chairperson Drevno.

**MOTION:** Commissioner Horwich moved for the approval of CUP03-00053 and PRE03-00038, as conditioned, including all findings of fact set forth by staff, eliminating two units, reducing the FAR to .75, adding 4 guest parking spaces, and modifying the condition concerning the retention of trees to state that trees along the south perimeter wall shall be retained or replaced with trees of equal height to the satisfaction of the Community Development Director. The motion was seconded by Commissioner Uchima and passed as reflected in the following roll call vote:

AYES: Commissioners Faulk, Horwich, LaBouff and Uchima.

NOES: Commissioners Botello, Muratsuchi and Chairperson Drevno.

**MOTION:** Commissioner Horwich moved for the approval WAV03-00024 as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Uchima and passed as reflected in the following roll call vote:

AYES: Commissioners Faulk, Horwich, LaBouff and Uchima.

NOES: Commissioners Botello, Muratsuchi and Chairperson Drevno.

**MOTION:** Commissioner Horwich moved for the approval of TTM60807 as conditioned, including all findings of fact set forth by staff, reducing the number of units from 16 to 14. The motion was seconded by Commissioner Faulk and passed as reflected in the following roll call vote:

AYES: Commissioners Faulk, Horwich, LaBouff and Uchima.

NOES: Commissioners Botello, Muratsuchi and Chairperson Drevno.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution Nos. 04-048, 04-049, 04-050 and 04-051.

**MOTION:** Commissioner Faulk moved for the adoption of Planning Commission Resolution Nos. 04-048, 04-049, 04-050 and 04-051 as amended. The motion was seconded by Commissioner Uchima and passed as reflected in the following roll call vote:

AYES: Commissioners Faulk, Horwich, LaBouff and Uchima.

NOES: Commissioners Botello, Muratsuchi and Chairperson Drevno.

**7C. CUP04-00011, PRE04-00007: BISHOP MONTGOMERY HIGH SCHOOL**

Planning Commission consideration for approval of a Conditional Use Permit and Precise Plan of Development to allow the construction of a practice facility for an existing high school on property located in the A-1 Zone in the Hillside Overlay District at 5430 Torrance Boulevard.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Bill Burch, project architect, voiced his agreement with the recommended conditions of approval. He submitted a diagram illustrating the height differential between the proposed building and the condominium complex to the west. Responding to neighbors' concerns about noise, he explained that the facility would include a mechanical ventilation system designed for a sealed building so there would be no reason to open the doors. He explained that a five-foot reduction was achieved by changing from a competition-height to a practice-height facility and that he was proposing to decrease the height an additional four feet by using a less efficient and more expensive structural system.

Rosemary Libbon, Principal of Bishop Montgomery High School, noted that it is a self-supporting community school, which receives no subsidies from the state or federal government, and 92% of students reside in the South Bay area. She explained that the



new facility was made possible by a large donation bequeathed by a longtime resident of Redondo Beach. She reported that every possible site was considered, including the site of the existing two-story structure on the third level of campus, which was rejected because it would be too close to residents; the site behind the lunch area adjacent to the sump, which was not feasible due to environmental issues and because it could not hold the weight of the structure; the area behind the existing gymnasium, which was not large enough; and the old Daily Breeze parking lot, which was not suitable due to security and safety issues. She noted that the parking lot was purchased a year ago to address traffic and parking problems and it is crucial for traffic management.

Ms. Libbon reported that the proposed site is on the second level of the property, 180 feet away from the property line, and as close to the center of the campus as possible. She noted that the facility will have no doors on the west side; that it will have an interior ventilation system that does not require equipment on top of the building; and that the doors and the windows will remain closed in order to protect the wood floors. She stated that noise from the practice facility would be minimal or non-existent, certainly much less than the noise currently generated by outdoor practices, explaining that lower level volleyball and basketball teams would be able to move their practices indoors as well as cheer, dance and flag teams. The new facility would also provide another location for physical education classes as boys and girls currently alternate using the existing the gymnasium.

Ms. Libbon explained that despite lower enrollment than in past years, the number of athletic teams has grown as a result of mandates to provide equal opportunities for girls and because other sports, such as volleyball, have gained more prominence. She noted that 75 to 80% of students participate on athletic teams during the school year. She discussed the great demand for practice time in the existing gym, which has resulted in students having to arrive as early as 6:00 a.m. or leave as late as 9:30 p.m. in order to attend practices. She maintained that the new facility would benefit students' health and safety as well as their studies.

Ms. Libbon stated that the catering kitchen was included so that refreshments could be served at meetings and to accommodate a yearly mothers' club luncheon, which currently requires a late night set up prior to the event because of activities taking place in the gym. She noted the school's history of being responsive to neighbors' concerns and of working with the Police Department to address traffic and parking issues. She reported that following the last meeting, the school met with structural engineers, who came up with a plan to decrease the height of the building an additional four feet for a total of nine feet.

Commissioner Muratsuchi asked if the nine-foot reduction would bring the height of the facility down to that of the existing gym. Mr. Burch stated that it would be slightly higher because the support system used for that gym is no longer affordable.

Craig Leach, 3637 Courtney Way, chairman of the advisory council overseeing the project, stated that the school is to be commended for the phenomenal level of participation in athletic programs and that parents are very excited at the prospect of having another practice facility because early morning/late evening practices are disrupting their children's school work.

Referring to the staff report, Joan Dyer, 1200 Opal Street, #20, questioned how Planning staff was able to ascertain that the project would not adversely impact her home without viewing it from her perspective and questioned whether a licensed appraiser made the determination that it would not decrease the value of her property.

Richard Dyer, 1200 Opal Street, # 20, voiced objections to the proposed project, stating that the massive building would have a very serious impact on the views of residents of the Peppertree Village. He questioned the need for a kitchen in a practice facility and requested clarification regarding the height of the existing gym. He submitted a petition in opposition to the project.

William Seaman, 1200 Opal Street, #18, maintained that the security lighting on the proposed facility would obliterate nighttime views and suggested that the school had not done enough to find a site on the lower level of the campus. He stated that he has not been bothered by noise from outdoor practices but has been impacted by loud speakers and car alarms in the parking lot. He contended that local governments would lose revenue from property taxes due to the reduction in property values at Peppertree Village and this amounts to an indirect subsidy of religious schools.

Karen Mintzias, 1200 Opal Street, #32, reported that she has not been impacted by outdoor practices; voiced her opinion that the proposed facility would negatively affect property values; and disputed the contention that early morning/late evening practices create a hardship for students.

Commissioner Muratsuchi asked if Ms. Mintzias had consulted with an appraiser or realtor to determine the impact this project would have on the value of her property; Ms. Mintzias indicated that her unit was not directly affected.

Noting that he was active in the real estate business for 46 years, Mr. Dyer estimated that his unit would lose \$50,000 in value.

Andy Reed, 1200 Opal Street, #23, stated that his property would be the one most impacted by the project and noted his agreement with comments made by other speakers.

Richy Agajanian, 1200 Opal Street, #15, reported that a realtor he asked to evaluate the project's impact estimated a 10-20% decrease in his property value, which is consistent with Mr. Dyer's estimate.

Alois Dressler, 1200 Opal Street, #26, expressed concerns that the proposed project would adversely impact views and cause parking problems.

Jerry Jonas, 21405 Howard Avenue, noted his experience as chief lending officer for several banking institutions in Torrance and explained how the value of a view is calculated when appraising a property. He expressed concerns about the removal of hazardous materials, relating his understanding that the two-story building scheduled for demolition was built in 1957 and likely contains asbestos.

Responding to questions from the Commission, Mr. Burch provided clarification regarding the size of the catering kitchen and explained that security lighting would be located close to the ground to mitigate the impact on residents.

Commissioner Muratsuchi asked about the project's impact on property values, Mr. Burch indicated that he was not qualified to make such a judgment.

Commissioner Uchima noted that he had visited a number of homes at Peppertree Village and believed Unit No. 23 would be significantly impacted by the proposed project. He asked about the proposal to reduce the height of the facility an additional four feet.

Mr. Burch explained that a four-foot reduction could be achieved by changing from a single-sloped to a double-sloped roof although it would significantly add to the cost of the facility. He noted that it was not possible to match the height of the existing gym because the structural system uses tapered steel girders, which would not be affordable, or even available, at this time.

**MOTION:** Commissioner Botello, seconded by Commissioner Fauk, moved to close the public hearing; voice vote reflected unanimous approval.

Commissioner Uchima expressed his preference that the silhouette be revised to reflect the four-foot reduction before making a decision on this project.

Voicing support for the project, Commissioner LaBouff related his understanding that one of the goals of the City's General Plan is to support education, including private secondary schools, in order to provide for the educational needs of the community; noted that this facility would help put Bishop Montgomery on a par with other Torrance schools; and voiced his opinion that the educational aspect of this proposal outweighs the potential view loss of a few residents.

A brief discussion ensued, and Chairperson Drevno, echoed by Commissioner Horwich, indicated that she favored a continuance so the project could be re-silhouetted and Commissioners could take another look at the impact on residents of Peppertree Village. Commissioner Uchima indicated that he was particularly concerned about the impact on Units 22 and 23.

Referring to Mr. Seaman's remarks, Commissioner Horwich stated that he did not believe the proposed project could, in any way, be construed as an indirect subsidy of a religious institution.

Commissioner Muratsuchi stated that he would be pleased to support the project if an objective report from a licensed appraiser could verify that it would not result in a reduction in property values at Peppertree Village.

Mr. Burch agreed to continue the hearing to June 16 and to re-silhouette the project, noting that the four-foot reduction was as low as the building could go.

Commissioner LaBouff suggested that the school might wish to provide information regarding its contribution to the educational needs of the City.

Commissioner Botello commented that he saw no other feasible location for the building on the campus.

**MOTION:** Commissioner Botello, seconded by Commissioner Horwich, moved to continue the hearing to June 16, 2004; voice vote reflected unanimous approval.

Planning Manager Isomoto announced that the hearing would not be re-advertised as it was continued to a date certain.

**9. FORMAL HEARINGS**

**9A. DIV04-00011: MICHAEL PAO-CHU NING/ DAVID ANDERSON (TOM YUGE)**

Planning Commission consideration for approval of a Division of lot to allow a Lot Line Adjustment between properties located in the hillside Overlay District in the R-1 Zone at 24710 and 24900 Via Valmonte.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Tom Yuge, Cetech Engineering, representing the applicants, voiced his agreement with the recommended conditions of approval.

**MOTION:** Commissioner Muratsuchi, seconded by Commissioner Fauk, moved to close the public hearing; voice vote reflected unanimous approval.

**MOTION:** Commissioner Muratsuchi moved for the approval of DIV04-00011, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution No. 04-064.

**MOTION:** Commissioner Muratsuchi moved for the adoption of Planning Commission Resolution No. 04-064. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

**9B. CUP04-00009, DIV04-00007: A-ROC CO. INC. (ALEXANDER ROCCO)**

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a two-unit condominium development and a Division of Lot for condominium purposes on property located in the R-2 Zone at 1740 Fern Avenue.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request and noted supplemental material available at the meeting consisting of a revised rear elevation for Residence B showing the second floor balcony that was omitted from the original drawing.

Rudy Rocco, representing the applicant, voiced his agreement with the recommended conditions of approval.

**MOTION:** Commissioner Uchima, seconded by Commissioner Horwich, moved to close the public hearing; voice vote reflected unanimous approval.

Commissioner Muratsuchi noted that, according to the supplemental material, the property owner at 1741 Elm Avenue raised a concern about the balcony's impact on privacy but since the subject site is not in the Hillside Overlay District, there is no protection against this type of intrusion.

**MOTION:** Commissioner Uchima moved for the approval of CUP04-00009 and DIV04-00007, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution Nos. 04-065 and 04-066.

**MOTION:** Commissioner Uchima moved for the adoption of Planning Commission Resolution Nos. 04-065 and 04-066. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

**9C. CUP04-00015: ADVANCED COLLISION TECHNOLOGIES (SEAN OLIVER)**

Planning Commission consideration for approval of a Conditional Use Permit to allow the operation of an auto body, paint, and repair facility in an existing industrial building on property located in the M-2 Zone at 4302-4310 190<sup>th</sup> Street.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Robert Lettiere, president of Advanced Collision Technologies, voiced his agreement with the recommended conditions of approval, noting that his company is the only certified BMW repair center in Los Angeles County.

Responding to questions from the Commission, Mr. Lettiere explained that the business is currently located at 1420 Crenshaw Boulevard and that the new facility will have the same number of repair bays, but they will be enclosed, which will allow high quality work while reducing noise and curing time. He reported that the facility fully complies with AQMD regulations; that the spray booths have been pre-approved because emissions are extremely low with the new equipment; and that BMW's high standards for repair facilities exceed state and local requirements. He pointed out that the repair shop will be right around the corner from the new BMW dealership on Hawthorne Boulevard, which will cut down on traffic when transporting cars back and forth.

Robert Levine, representing The Magellan Group, Inc., owner of the property, requested, and was provided, clarification regarding Condition No. 17, which requires that a landscaping plan providing additional landscaping be submitted for approval.

**MOTION:** Commissioner Botello, seconded by Commissioner Horwich, moved to close the public hearing; voice vote reflected unanimous approval.

**MOTION:** Commissioner Botello moved for the approval of CUP04-00015, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution No. 04-067.

**MOTION:** Commissioner Muratsuchi moved for the adoption of Planning Commission Resolution No. 04-067. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

**9D. PRE04-00009, WAV04-00008: RUSSELL BARTO (THOMAS VALENTE REBECCA DAVIS)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of first and second-story additions to an existing single-family residence and a Wavier to allow a reduction of the side yard setback requirement on property located in the Hillside Overlay District in the R-1 Zone at 424 Calle de Castellana.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Russell Barton, project architect, voiced his agreement with the recommended conditions of approval.

**MOTION:** Commissioner Uchima, seconded by Commissioner Muratsuchi, moved to close the public hearing; voice vote reflected unanimous approval.

**MOTION:** Commissioner Muratsuchi moved for the approval of PRE04-00009 and WAV04-00008, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution Nos. 04-068 and 04-069.

**MOTION:** Commissioner Muratsuchi moved for the adoption of Planning Commission Resolution Nos. 04-068 and 04-069. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

**9E. DVP04-00002, MOD04-00007: SOUTH BAY CHRYSLER JEEP DODGE PATRICK WIRZ / AHT ARCHITECTS)**

Planning Commission consideration for approval of a Development Permit and a Modification of previously approved Conditional Use Permits (CUP87-25, CUP72-1, CUP71-44) to allow the expansion and renovation of an existing automobile dealership on property located in the Hawthorne Boulevard Corridor Specific Plan Promenade Sub-district at 20433 Hawthorne Boulevard.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Planning Manager Isomoto clarified that CUP87-25 expired since it was never implemented; therefore, the Modification pertains to CUP72-1 and CUP71-44 only.

Patrick Wirz, AHT Architects, project architect, voiced his agreement with the recommended conditions of approval and noted that the project complies with all City requirements.

Richard Sullivan, owner of veterinary clinic at 20447 Hawthorne Boulevard, expressed concerns that the proposed four-level structure would interfere with westerly winds that provide ventilation for his kennels and that the expansion would increase traffic on Spencer Street and impact parking at his clinic. He explained that his clinic has only nine parking spaces and that he has had a problem with the dealership's customers parking in his lot. He related his understanding that the plans include a walkway from his parking lot to the showroom and questioned why the enlarged dealership was not required to provide additional customer parking.

Commissioner Botello recalled that when he had his vehicle serviced at the Dodge dealership at this location, customers often parked in the veterinary clinic's lot when they could not find parking at the dealership.

Steve Fechner, Surf Management, stated that his family owns the property to the west of the dealership and voiced objections to the four-level structure. He noted that there are no other four-story buildings in the vicinity and suggested that the top deck be eliminated.

In response to Mr. Fechner's inquiry, Planning Manager Isomoto advised that the parking decks were not included when calculating the project's Floor Area Ratio (FAR). Mr. Fechner stated that he believed parking decks/garages should be included in FAR calculations for auto dealerships because they are integral to their business.

Responding to Commissioner Botello's inquiry, Planning Manager Isomoto confirmed that the height of the structure was within height limits for this section of the Hawthorne Boulevard corridor.

Commissioner Botello asked about plans for the existing Chrysler dealership. Larry Derkum, dealership manager, explained that Chrysler, Jeep and Dodge dealerships would all be consolidated on this site.

Commissioner Faulk expressed concerns about the adequacy of the customer parking.

Mr. Wirz maintained that the new parking structure would solve problems that occurred in the past due to limited parking because it will include spaces for employees as well as for cars being serviced, reserving ground level customer parking for customers.

Mr. Derkum explained that parking problems were caused because autos being dropped off for service backed up in the driveway, blocking customer parking, however in the new facility, people dropping off vehicles for service will pull into the building instead of blocking the driveway.

In response to Chairperson Drevno's inquiry, Mr. Derkum indicated that 19 spaces would be provided for customers looking at cars and that the current facility has 12 to 14.

Commissioner Faulk noted that people often take two cars when dropping a car off for service. Mr. Derkum stated that, typically, people bring cars in for service early in the morning and have someone drop them off when they pick vehicles up, therefore, this should not impact customer parking for the showroom.

Planning Manager Isomoto reported that there are 94 parking spaces designated for the service department.

Commissioner Muratsuchi questioned whether Mr. Sullivan believed the 19 customer parking spaces would be adequate.

Mr. Sullivan explained that the existing situation has adversely affected his business; that he has not been able to dissuade the dealership's customers from using his parking because it is convenient to the showroom; and that he did not think it was reasonable to have only 19 parking spaces for a dealership of this size.

A brief discussion ensued, and Commissioners discussed the possibility of adding customer parking near display cars at the corner of Spencer and Hawthorne Boulevard.

Noting that the Code requires only one space for every two employees during the maximum shift, which in this case is 33 spaces for 66 employees, Commissioner Horwich voiced his opinion that the City's requirement for employee parking was unrealistic and requested that staff re-examine this ratio in the future.

Commissioner Uchima questioned whether Mr. Fechner has had a problem with overflow parking from the dealership. Mr. Fechner indicated that overflow parking has not been a problem, however, he was concerned about employees parking on Spencer Street should the 33 parking spaces prove inadequate or if the dealership uses these spaces to store vehicles for sale, pointing out that it would be financially beneficial for the dealership to do so.



Planning Manager Isomoto requested a continuance so that staff could work with the applicant to try to resolve parking issues.

**MOTION:** Commissioner Uchima moved to continue the hearing to June 16, 2004. The motion was seconded by Commissioner Botello and passed by unanimous roll call vote.

Planning Manager Isomoto announced that the hearing would not be re-advertised as it was continued to a date certain.

**10. RESOLUTIONS**

None.

**11. PUBLIC WORKSHOP ITEMS**

None.

**12. MISCELLANEOUS ITEMS**

None.

**13. REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS**

None.

**14. LIST OF TENTATIVE PLANNING COMMISSION CASES**

Planning Manager Isomoto reviewed the agenda for the Planning Commission meeting of June 16, 2004.

**15. ORAL COMMUNICATIONS**

**15A.** Commissioner Muratsuchi requested that a representative from the school district be present at the hearing for the proposed residential project near Del Amo Financial Center.

**15B.** Commissioner Botello requested information about RHNA (Regional Housing Needs Assessment) numbers.

**15C.** Commissioner Botello noted a recent article in the *Daily Breeze* concerning the Religious Land Use and Institutionalized Persons Act (RLUIPA) and its applicability to zoning issues involving local religious institutions, including Bishop Montgomery.

**16. ADJOURNMENT**

At 11:28 p.m., the meeting was adjourned to Wednesday, June 16, 2004, at 7:00 p.m.

Approved as Written August 18, 2004 s/ Sue Herbers, City Clerk
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